THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11716 of 1998

ORAL ORDER:

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This writ petition is filed seeking a Mandamus declaring the action of the respondents in not giving exemption of passing departmental test for promotion to the post of Draughtsman Grade-I from Grade-II as arbitrary and illegal and extending such exemption of passing departmental tests to certain category of persons for promotion to the post of Assistant Engineer from Grade-II Draughtsman as arbitrary and illegal.

It appears, petitioner was appointed as Draughtsman Grade-II in the year 1991. According to the petitioner, he had completed five years of service in the cadre of Grade-II Draughtsman and also holder of ITI Certificate, therefore, he is entitled for promotion to the post of Draughtsman Grade-I. The grievance of the petitioner is that the persons who worked along with him in the cadre of Draughtsman Grade-II were all promoted to the post of Assistant Engineer by giving exemption of possessing minimum service in the cadre of Draughtsman Grade-II and also passing of departmental test, whereas, such a benefit was denied to him.

There is no necessity of going into all the details. It is suffice to notice that the Assistant Engineers, who were promoted from the category of Draughtsman Grade-II, may be juniors to the petitioner, have satisfied the educational qualifications, therefore, exemption was granted to them and they were promoted to the post of Assistant Engineers, and the petitioner cannot compare his case with those persons. Further, in para 6 of the counter filed by the respondents, it is asserted that even in the cadre of Draughtsman Grade-II, many of the persons who are seniors to the petitioner are waiting for promotion, therefore, petitioner's case was not considered for granting exemption of passing departmental test for promotion to the post of Draughtsman Grade-I. The petitioner cannot claim exemption as a matter of right for seeking promotion to the post of Draughtsman Grade-I out of turn. However, this will not preclude the respondents from considering the case of

the petitioner on par with other persons in the cadre of Draughtsman Grade-II for being promoted to the post of Draughtsman Grade-I as per the seniority.

The writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 11.4.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

11.4.2007

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11716 of 1998

Date: 11th April, 2007

Between:

M.Venkata Ramana

.. Petitioner

And

The Executive Officer,
Tirumala Tirupati Devasthanams,
Tirupati, Chittoor district & others.

.. Respondents